

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ALPHONSO SIMMONS,

Plaintiff,

- against -

FRANK ROBINSON, Grievance Supervisor,
Sing Sing Correctional Facility;
A[NTHONY] CHU, Food Service Administrator,
Sing Sing Correctional Facility;
K[ENNETH] DECKER, Acting Superintendent,
Sing Sing Correctional Facility;
JOHN NUTTAL, Deputy Commissioner of
Program Services, New York State
Department of Correctional Services;
BRIAN FISCHER, Commissioner of the
New York State Department of
Correctional Services;

Defendants.
-----x

DOUGLAS F. EATON, United States Magistrate Judge.

On October 31, 2008, the defendants moved for summary judgment. By letter to Judge Batts dated January 28, 2009, plaintiff requested an extension for his opposition papers until February 23; she granted him an extension until March 2.

On February 6, 2009, Judge Batts referred this case to me to write a Report and Recommendation on the motion as soon as all the papers are in. On February 20, I mailed a Memorandum and Order to plaintiff at Attica; he apparently did not receive it because he was transferred to Greenhaven; I now enclose another copy for his records. I am now responding to his February 19 letter to Judge Batts, who forwarded it to me on March 3.

Mr. Simmons must **serve and file any opposing papers by March 23, 2009, with a courtesy copy to me.** I will not grant any further extensions.

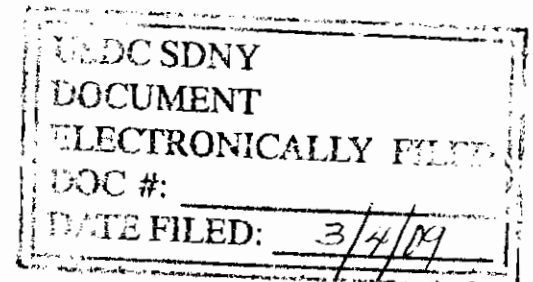
Any reply papers must be served and filed by April 17, 2009, with a courtesy copy to me. I will then write a Report and Recommendation to Judge Batts, but I must first deal with many earlier references in other cases.

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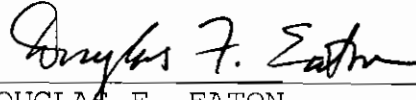
07 Civ. 7383 (DAB) (DFE)

MEMORANDUM AND ORDER

This is not an ECF case



USDC SDNY
DATE SCANNED 3/4/09



DOUGLAS F. EATON
United States Magistrate Judge
500 Pearl Street, Room 1360
New York, New York 10007

Dated: New York, New York
March 4, 2009

Copies of this Memorandum and Order are being sent on this date
by mail to:

Alphonso Simmons
06-A-5276
Greenhaven Correctional Facility
P.O. Box 4000
Stormville, NY 12582-0010 (with a copy of my 2/20/09 order)

Wesley E. Bauman, Esq.
Assistant Attorney General
State of New York
120 Broadway
New York, NY 10271
(also by fax to 212-416-6075)

Pro Se Office
Room 230, U.S. Courthouse
500 Pearl Street
New York, NY 10007

Hon. Deborah A. Batts